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Whose Business Is Business? *Robert W. Dietsch*

THE NEW REPUBLIC

A Journal of Politics and the Arts — April 25, 1970, 50 cents

Where We Put the Aged

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Mr. and Mrs. Diamond aren't trying to save the world Just a little piece of it.

Willie Sam Roberts is one of the luckier children in his Southern Tennessee town. He's just passed his fourth birthday. Hardly remarkable. Unless, like Willie Sam, you live in a place where one of every four children never lives to his fourth birthday. But Willie Sam has another reason to consider himself lucky. He has a future. A future that has suddenly turned bright.

For this, he thanks a New York couple by the name of Diamond. Through Save the Children Federation, the Diamonds are helping Willie Sam and his family to lift themselves out of the poverty that engulfs so many of their neighbors.

In 1824, when Willie Sam's town was founded, its rich Mississippi valley was described as, "beautiful and bountiful". The description no longer fits. Years of soil depletion and reckless timber cutting have left the land grudgingly productive. And the people desperately poor. Average per capita income is less than $1,000 a year, and half the men can't find work half the year.

Much of the housing is unfit to live in, and sanitary facilities just don't exist. Most families have a hard time getting along, let alone getting ahead. And without help, chances are Willie Sam would grow up to be just another name on the poverty rolls.

That's where Minerva and Irving Diamond entered the picture. They're not nearly as wealthy as Willie Sam and his family imagine. Middle aged, middle income, probably describes them best. But now that their two daughters are grown and on their own, the Diamonds can afford to enjoy the things they've always wanted to do. Travel. Golf. And spending time doting on their grandchildren. Yet, while enjoying the comforts they've earned, the Diamonds are seeing to it that Willie Sam has his chance.

The $15 a month contributed makes a remarkable difference to the Roberts. The father has been able to realize a dream of starting a business. With an interest-free loan advanced by Save The Children he opened a dry-cleaning shop which seems to be succeeding. And which for the first time has given the family hope of a productive, self-sufficient future. That, of course, is what Save The Children is all about. Although contributions are deductible as a charity, the aim is not merely to buy one child a few hot meals or a warm coat. Instead your contribution is used to give people a little boost to start helping themselves.

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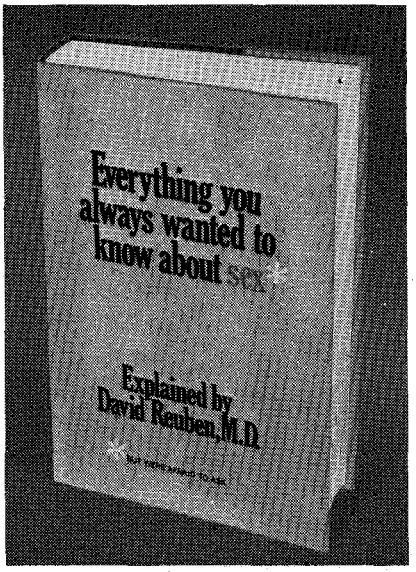

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The New Republic is published 48 weeks per year at $12, by Harrison-Blaine of New Jersey Inc., 1244 19th St., N.W. Washington, D.C. 20036. Second-class postage paid at Washington, D.C. and at additional mailing offices.

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from Washington

A 27-minute War

Sometimes you pinch yourself in Washington to make sure you heard right. It happened to me the other day in a long, lushly furnished Senate subcommittee room on foreign relations with all the senators perched up at one end behind their bench like the Supreme Court. What the witness said was so commonplace in one way that nobody bothered to write it down. Me? I got to thinking about the war between Athens and Sparta.

It was two and a half thousand years ago. Nobody believed in that either. It happened, though, and the war lasted 27 years and ruined both nations. This new war would last maybe 27 minutes. It would ruin both nations, too.

Ruin is hardly the word. You and I wouldn't be here anymore. This is how the witness, nuclear scientist W. K. H. Panofsky put it, quietly pleading with the senators: for God's sake help see that the SALT talks at Vienna get somewhere! (SALT is shorthand for Strategic Arms Limitation Talks.)

"We have numerical superiority of 3 to 1 in nuclear warheads," he said, "and US MIRVs are ready for deployment . . . Even after absorbing a first strike the level of damage the US could inflict would be such that the society of the attacker would be unlikely to survive."

At first you simply reject that kind of talk. Is the man kidding? Then you recall that even at that minute representatives of the human species have managed to get round the Moon and are horrifyingly and magnificently trying to return. Man can go anywhere. Man can do anything. Nothing can stop Man . . . except Man.

Why the scholar thinks of Athens and Sparta is that the whole war was so useless, so senseless – so inevitable. Everybody but fools knew it was crazy. But they were scared of each other; they didn't know how to prevent it. That is why Thucydides is the most tragic of all authors. He set himself year by year to get out a sort of resume of how far the war had got. It was a kind of annual World Almanac, body count and everything. Athens and allies on one side, and Sparta and allies on the other only wanted "bargaining from a position of strength." Who said that? Richard Nixon. He took the normal Cold War approach in his 1968 campaign to Russian calls for a conference. Russian leaders told their people that's all they wanted, too.

And yet you and I know (or are almost certain we know) that the SALT talks won't get anywhere. And you and I know (or are almost certain we know) that this nuclear pifft won't take place, the one that will wipe out the very society of the belligerents. Thucydides knew it, too. It was the greatest war in history up to that time. He was the journalist with a ringside seat who had the gloomy fun of recording it. (You can get as much enjoyment out of a gloomy view, with a little practice, as you can out of an optimistic view.)

About the fifth year he noted a psychological effect: "Words had to change their ordinary meaning and to take on that which was now given them. Reckless audacity came to be considered the courage of a loyal ally; prudent hesitation, specious cowardice; moderation was held to be a cloak for unmanliness; ability to see all sides of a question, inaptness to act on any. The advocate of extreme measures was always trustworthy; his opponent a man to be suspected. . . . The fair proposals of an adversary were met with jealous precautions by the stronger of the two, and not with generous confidence." There is a lot more to it; it applies to Vietnam.

Today, what most people don't realize is that SALT may be the last stop on the line. If these MIRVs, these multiple nuclear warheads (each aimed at a different target, taking out, say, Boston, Albany, New York, Philadelphia, Baltimore, Washington, Richmond and two or three more cities in one efficient blast) are really deployed, then it raises everything to a new order of magnitude. Crazy? Impossible? Yet how can anyone doubt the potentiality of the delivery of these new missiles who has gone through the vicarious agony of this last week's moonshot?

A rough kind of stability in the balance of terror has existed for some years. Russians have had enough nuclear warheads to kill every American eight times; we have had enough to kill every Russian around 20 times. Fair enough, you say, and go back to your borsht. But a grave new situation has come to a head in the last few months. The nuclear arms race has moved so fast that it is almost beyond control. We and they are now actually moving into, instead of talking about, the era of ABMs and MIRVs. Once begun it can hardly be stopped.

Our own guess is that given almost any encouragement from Vienna the Senate will refuse to vote the ABM deployment into its second phase. You can look at it as another defeat for Mr. Nixon if you want to but of course the stakes are infinitely bigger. The Senate is closely divided. Mr. Nixon got his first ABM deployment by only one vote. He wants Congress to take the next step. He believes in facing down his adversary from a position of strength. So did Athens. So did Sparta.

What meets us now is a terror confrontation so delicately honed that military men on either side propose a drastic new step, "Launch On Warning" (LOW). Push the red button the minute the radar shows a missile attack coming. Don't wait – shoot. And so last week some of us prayed for the safe return from behind the moon of three brave men in desperate danger, and a few of us threw in a prayer for civilization itself that can send out – and spend – such brave men.

Notes: Forecast: the Senate will confirm the next Supreme Court nominee so fast you'll hardly see him . . . Pullback of troops from Vietnam will send up the Nixon poll; but, make no doubt of it: President, Attorney General, and Southern strategy all were deeply hurt by Carswell fiasco . . . Betty Fulbright's comment on Martha Mitchell's attack on her husband: "She certainly lost her cool, didn't she?" . . . Add to diminishing civil rights – White House assistant Clark Mollenhoff's authority to inspect your income tax; Post Office request to open certain types of mail from abroad . . . Add to remarks better left unsaid (Gov. Reagan division): "If it takes a blood bath [to suppress campus militants], let's get it over with. No more appeasement."

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THE NEW REPUBLIC *A Journal of Politics and the Arts, Vol. 162, No. 17, Issue 2887, April 25, 1970. Published weekly (48 issues a year) and distributed by* The New Republic, *1244 19th St., N.W., Washington, D.C. 20036. Phone FEderal 8-2494. Single copy 50c. Yearly subscription $12; Foreign $13; Armed Forces personnel or students, $6; Send all remittances and correspondence about subscriptions, undelivered copies, and changes of address to Subscription Department,* The New Republic, *381 West Center Street, Marion, Ohio 43302.* *Copyright© 1970 by Harrison-Blaine of New Jersey, Inc.**Item g. Second Class Postage Paid at Washington, D. C. Indexed in Readers' Guide.*

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On the Bench

It was a vexing week for the President and he showed it. He was said to be in a "black rage" following the Senate's stunning rejection of Judge G. Harrold Carswell. "To lower our voices would be a simple thing," Mr. Nixon had said at his inaugural. It was not so simple. Nevertheless, he quickly recovered and put forward his third nominee, Harry A. Blackmun, 61, of Minnesota, a judge of the United States Court of Appeals for the Eighth Circuit, which has jurisdiction over the Dakotas, Nebraska, Iowa, Missouri and Arkansas, in addition to Minnesota. All available evidence suggests that the appointment is an improvement and worth the Senate's trouble and the bitter attack made upon it by the White House.

Like his fellow Minnesotan and friend, Chief Justice Burger, Judge Blackmun is a conservative in the sense of being a man of caution, a husbander of judicial power, no wastrel of it, and no activist. And like the Chief Justice, he fits a law-and-order image. But it is fair to say that in attitude and outlook he stands to the left of both Judge Haynsworth and Judge Carswell. In one or two instances, he has seemed more receptive to novel legal claims, more sympathetic particularly to suits asserting new and broader civil rights. And in visible professional attainments, he is undoubtedly superior to Judge Carswell.

The speed with which the President made the new nomination, turning aside intemperate political counsel that he keep the seat open past the November election, is the single creditable aspect of his reaction to the Carswell defeat. Twice Mr. Nixon was led by Attorney General Mitchell into making bad or insensitive judgments on incomplete information. When the Senate, rising to its constitutional duty, called the President's second error, he reacted as if what had occurred was a Latin American riot during a Vice-Presidential visit, or a kitchen debate. His nominees had been subjected, he said, to "vicious assaults on their intelligence, their honesty and their character." Both are fine judges, and were rejected, the President asserted, because they are Southerners. He had chosen each, the President went on, to give the Court some geographical as well as philosophical balance, but it was now clear that the South must remain unrepresented so long as the Senate "is constituted the way it is today," because as so constituted the Senate will not confirm any "Southern federal appellate judge who believes in a strict construction of the Constitution." This was a wild

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and malicious misrepresentation of what the Senate did or showed any intention of doing; it was a blatant, divisive and destructive appeal to the anti-Negro vote, South and North.

Mr. Nixon has a set of criteria for the choice of a Justice which he applies too rigidly. In adhering to all of them at once, he fences himself in, begging for the bad luck and the errors of judgment that have plagued him. Certainly he renders most unlikely an inspired, distinguished appointment. If you decide in advance that you want a conservative, Republican, Southern, federal judge no older than 60 or so, you are picking from among a handful of men. The choice is narrow, and the method invites a poor selection.

Some of Mr. Nixon's criteria – taken singly and with qualifications, and as guides, not inflexible requirements – do make sense and have historical warrant. Thus, representation on the Court for distinct regions and groupings in the country is useful over the long run, even though, as the President himself has said, there ought to be no quotas, and seats ought not to be labeled. But it is regional and interest groupings that deserve recognition, not strains of passion or prejudice that run like fevers through the body politic. Likewise, the President is entitled to look for a philosophical profile in a nominee that is congenial to him, and the Senate ought to meet the President at least halfway in this respect. Yet Mr. Nixon cannot expect to swallow up altogether the Senate's function. Even though the President is perfectly right not to seek any sort of advance political clearance for his nominees, political prudence would counsel him to sense the mood of the Senate. There must be deference both ways, some movement toward a middle ground from both directions, even in the matter of ideology. And there need never be any conflict between specifications of region and ideology, and professional qualifications. While it is always possible to be misled by appearances in assessing personal qualities, and while an element of subjectivity is unavoidable, the country wants men and women of reasonably notable attainments on the Supreme Court. The President, himself a lawyer, gave the appearance in the Haynsworth and Carswell cases of caring little about professional distinction.

The most dubious standard the President has used, and historically the least justified, is that of prior judicial experience. He looks, Mr. Nixon has said, for men who have a track record. As a source from which to draw assurance of quality, prior judicial experience has absolutely nothing to commend it over other realms of experience. The bulk of the business of the lower federal courts, let alone state courts, is different from that of the Supreme Court. The lower-court federal judge cannot be said to have served a relevant apprenticeship. Having examined the historical record, the late Justice Frankfurter once wrote: "One is entitled to say without qualification that the correlation between prior judicial experience and fitness for the functions of the Supreme Court is zero."

President Nixon is likely to have more appointments to make to the Supreme Court. It is therefore essential that he recover from the bitterness of his two failures – he shares the double-failure experience with two such diverse Presidents as Grant and Cleveland – and that he liberate himself insofar as he can from the stultifying, earth-bound application of a set of simple, confining criteria.

"Someday you guys won't have Nixon to kick around anymore!"

Smell It, Then Sell It

Supermarkets depend for their profits on clearing the shelves of merchandise whether it is fresh or not. Store managers get bonuses for high turnover and are docked when they have to throw away bad meat or return goods whose shelf life has elapsed. Unsold food is money lost, so it is to their advantage to sell everything. Grocers, therefore, customarily put fresh merchandise behind the older stock on the shelves. And they keep

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the true age of foods a carefully guarded secret so that customers can't discern freshness for themselves. Nearly all food products are coded in some way to show their shelf life, the date beyond which they are unsafe to eat, or the date they were packaged.

The number "606" on a carton of milk in one store, for instance, means that the milk should not be offered for sale after June 6. The code "5121" tells when a package of hamburger will likely be rotten. (Add the first and last digits to get the month; the middle digits represent the day. The expiration date on the ground meat is June 12.) The codes get complicated. The number "031" on pork chops in the store may indicate that they will be good until the first of the month and that they were packed at 3:00 pm. May 30 on a carton of eggs reveals that they were packed on that date; their shelf life is seven days. A red mark on a loaf of bread means it was baked on a Monday or a Thursday. White means Tuesday or Friday. Blue signifies Wednesday or Saturday. "6029" on bologna means it was processed by packer number 9 and that it should not be sold after June 2.

The codes vary from product to product and store to store, even within a chain, and grocers claim that sometimes even they are in the dark about what the cryptic messages mean. In such cases manufacturers' or distributors' representatives come around now and then to decipher the codes and, presumably, remove the old stuff from the store.

The food industry does not want customers understanding the codes, because then it would not be possible to unload the stale food. Clarence Adamy, the president of the National Association of Food Chains, said recently that if customers could read the codes they would "tend to buy only the freshest products and that would create monumental waste." If housewives got picky, Adamy says, there would be a substantial increase in costs, hence prices. He feels the stores should be the sole judges of what is fresh enough to market. Should they?

New York Congressman Leonard Farbstein and the District of Columbia Democratic Consumer Action Committee have just completed a survey of stores belonging to the three major chains operating in Washington (Safeway, Giant and A&P). Some of the stores are in poor black neighborhoods, some in principally white suburbs and upper middle class areas. Eighteen stores were monitored. Ten products were watched, including milk, eggs, bread, ground beef and chicken. On the days the survey was conducted all but three of the stores were offering for sale merchandise that was by their own standards too old to sell.

Ignoring code dates, one store manager said he discarded chickens only after they began to smell, "turn reddish or yellowish or when little growths began to appear." Another manager said that when a package of ground beef begins to look too old he "reworks it and repackages it." Only if it looks "too bad" does he throw it in the garbage. A third store manager kicked the survey team out.

One market, during the survey, changed its bread code so that it indicated not the date it was stocked but a date two days hence. One store put too-old beef on sale at half price, while it sold equally antiquated pork (cheaper meat thought to be bought more often by poor customers) at full, original price. Lunch meat in one place was found to be two months past its "pull date." Some meat products were found recoded with new dates after original pull dates had passed. Pork one place had an anticipated life of two days. The same pork in another store was considered saleable for four days.

Although conditions seemed worst in some of the slum stores, there were abuses in all but three of the surveyed supermarkets, in affluent neighborhoods and poor alike. Safeway plans to experiment in certain stores with "open dating" which could be read with understanding by customers as well as supermarket cryptologists. Rep. Farbstein, sensibly, has introduced legislation, cosponsored by 52 members of Congress, that would compel open dating.

Lockheed Stock

Poor Lockheed, with $2.5 billion in government money and only nine C5A planes to show for it, and bankruptcy looming unless taxpayers fork over more money ("Poverty Pocket," *NR*, March 28), faces still darker days. The Securities and Exchange Commission is reported to be completing its year-long investigation of the company on charges that it deliberately kept secret, information concerning cost overruns in the C5A cargo plane in order to bolster the value of its stock. The inquiry, itself secret, has also reviewed allegations by Rep. William Moorhead (D, Pa.) that Lockheed officials bought and sold large blocks of the company's stock on the basis of insider information on C5A costs before the overrun scandal broke in 1968. Rumors have been circulating in Washington that a number of Lockheed officials would be indicted for illegal insider trading, and that two Air Force generals were involved.

According to a study done last summer for Rep. Moorhead, five management people at Lockheed sold more than 9000 shares, worth almost $643,000, between November 1965 and January 1966, at a time when the stock was rising on the New York Exchange. It was evident then to insiders that the C5A would cost substantially more than anticipated; this information on this "significant cost growth" was deleted from

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internal company reports. A year later, January 1967, small investors still had not been told that the C5A was in trouble. In that month eight Lockheed officials sold 9238 shares worth $584,673. Moorhead has said that "these sell-offs might be connected to inside knowledge of the technical problems . . . and fear of public disclosure." Thomas R. May, at the time vice president of Lockheed-Georgia, where the C5A was in production, dumped 80 percent of his personal stock holdings for $136,950. Subsequently, on February 1, 1967, the Air Force notified Lockheed of a possible cancellation of the C5A contract.

A second aspect of the SEC investigation is said to concern the issuance in March 1967 of $125 million in convertible debentures or bonds. Though Lockheed knew then of "numerous overruns," its prospectus gave no hint of a snag. The contract was "not in danger" and Lockheeed was "confident that it will be able to perform [its contract] satisfactorily." Last September a civil suit was brought against Lockheed and 28 of its officials by a small investment company in Pennsylvania for withholding information in its prospectus.

The Securities and Exchange Commission has kept mum. Its spokesman, Orval L. DuBois, says "we will barely concede that an investigation is in progress." Other sources say the SEC report will shortly be turned over to the Justice Department for prosecutions, but DuBois will say neither when the investigation will likely be over nor when it began. "We're not like the FBI, you know," DuBois said last week. "We don't have unlimited resources. We're lucky if we can put one or two men on these things." Is that how many people are assigned to Lockheed? "No comment." DuBois got a phone call the other day from a reporter who wanted to come to the press conference announcing the end of the investigation. DuBois found it amusing.

Odds on Muskie

With a view to 1972, *The New Republic* asked a sample of subscribers who among our leaders they would most like to see become the Democratic nominee for President. The tally of 4894 questionnaires in hand on April 2 puts Edmund Muskie ahead. Just under 32 percent (1557) said they preferred the Senator from Maine. George McGovern placed second with 19.35 percent. John Lindsay, the potential Democrat on the mock ballot, finished third, with 14.14 percent. The last four in order of finish were Eugene McCarthy (13.28), Edward Kennedy (7.14), Hubert Humphrey (4.19), and Harold Hughes (2.77). The remaining 7.18 percent had other choices.

If first preferences are put aside, Senator McGovern does well. As second choice, he leads with 26.9 percent of those polled, followed by Muskie (23.7 percent), then Lindsey with 16.7 percent.

Grape Boycott: Round 2

Now that Cesar Chavez has signed his first contract with growers of California table grapes – three closely-related producers in the Coachella Valley near the Mexican border – the five-year long boycott will be changed to a selective buying campaign to reward the growers who broke the monolithic front of the industry. There will soon be "union label" grapes and "scab" grapes and the difference will be a clearly marked red and black emblem carrying the strikers' spread eagle.

The breakthrough contract was the end result of five months' investigation by a committee of five Catholic bishops, headed by Bishop Joseph Donnelly, of Hartford.

Earlier this year, the bishops were impressed by arguments that Chavez did not really want a settlement and that his United Farm Workers Organizing Committee was not a true union. Countering this view, the committee had before it a long memorandum written by William L. Kircher, the AFL-CIO director of organization. He pointed out the lack of legal protection for farm workers trying to form a union and noted that this oversight in the federal labor laws made the growers subjects for secondary boycotts. The only remedy was direct collective bargaining. AFL-CIO president George Meany reinforced this line of thinking by pledging directly to the bishops that he would co-sign any contract Chavez approved.

The AFL-CIO chief went further. At the regular February meeting of the federation's executive council in Bal Harbour, Florida, the usual resolution of support for the farm workers carried a new paragraph: "We assure employers who do negotiate and sign a contract that we will promote the sale of grapes produced by union workers – union lable grapes – while we continue to support the boycott of scab grapes." It was a cross-country message of reassurance to Lionel Steinberg, the Coachella Valley grower who was willing to try for the second time to negotiate an agreement with Chavez but who feared a continuing boycott would hurt him as well as other producers.

The three ranches represented by Steinberg grow less than one percent of the California table grapes, but their production is 12 percent of the output from the Coachella Valley. Since these grapes from Southern California go on the market months before those from the larger Central Valley, they will be easily separated for a deliberate union label buying campaign.

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"Some of the critics have charged during the last five years that the union doesn't want contracts," Chavez said at the signing ceremony. "Well, we have disproved that today. If the other growers, in light of what is happening here and now, continue to ignore us, then they are dealing in bad faith and their only object is to destroy the industry and the union."

With this new economic weapon and the important assistance of the bishops to add to all the other help the UFWOC has received, Chavez and Kircher have started talking with other growers.

Grass & the Brass

> The "court-martial is not yet an independent instrument of justice but remains to a significant degree a specialized part of the overall mechanism by which military discipline is preserved. . . . Courts-martial as an institution are singularly inept in dealing with the nice subtleties of Constitutional law." – Justice William O. Douglas, *O'Callahan v. Parker*.

Last New Year's Eve an off-duty army private, stationed at Fort Bliss, Texas, was arrested by Customs at the Mexican border in El Paso for possession of marijuana. Although he was on leave at the time, and in civilian dress, his commanding officer at Bliss insisted on a special court-martial rather than let him be tried by a civilian court. The case has since become the subject of a jurisdictional dispute that reflects badly on the army, the much maligned system of military justice and on the way the armed forces see and respond to increasing drug use within the ranks.

Private James H. Watson's civilian and military lawyers moved in January to dismiss the drug charge against him, arguing that under a 1969 Supreme Court decision the military courts had no business taking the case. They cited *O'Callahan v. Parker*, in which the Supreme Court had ruled that unless a state of martial law exists, a nonmilitary offense committed against a nonmilitary victim by a serviceman on leave from his post is not subject to court-martial proceedings but is a civil court matter. Watson's alleged crime occurred away from the base. He was on authorized leave status. No other on-duty military personnel were involved. There were courts in El Paso available to try Watson. And there was no evidence that he had obtained the marijuana said to be in his possession from a serviceman, that he intended to transfer it to one, or that he planned to bring it back to Fort Bliss. The circumstances, in other words, seemed to meet the O'Callahan test as not "service connected." Moreover, a US District Court in Rhode Island last year appeared to set a precedent in ruling in a similar case that the military does not have jurisdiction in an off-base pot possession case.

The prosecution, citing its own texts, argued that possessing marijuana *is* a service-connected crime, and referred to a previous military court decision that equated marijuana with addictive drugs and on that basis had concluded that grass, smoked off duty or on, has "disastrous effects" on the "health, morale and fitness for duty of persons in the armed forces."

The young judge assigned to Private Watson's case, Major Daniel H. Benson of the JAG Corps, sided with the defense. The crime, he stated, clearly fell under the O'Callahan rule. The reputed "disastrous effects" of marijuana had not been established. He quoted "prevailing current medical and scientific opinion" to the effect that marijuana is not a narcotic, does not lead to physical dependence, or aggressive or criminal acts, and that research is lacking to prove marijuana's harm. He dismissed the case.

Unfortunately for Watson, for Judge Benson and for the system of military justice, the judge's decision was not the last word. William E. Walker, the Lieutenant Colonel who had brought the charges in the first place and who is himself not a lawyer, disputed the decision. As "convening authority" in the case and under a rule to be found in the Courts-martial Manual he has the authority to overrule the judge on questions of law. Thus, eleven days after Judge Benson had written his opinion, Walker directed him to "proceed with the trial."

Subsequently Watson's lawyers filed suit in Federal District Court in El Paso to prohibit the army from going ahead with a trial. Again they employed the argument that the military lacked jurisdiction. Additionally they charged that the Constitutional guarantee of due process is flouted when the convening authority, a man without legal background, is allowed to overrule a military judge on the law. The District Court dismissed this appeal on April 2, not on its merits, but on the grounds that Watson had not yet exhausted his remedies within the military. The dismissal seemed particularly unfair given the alternatives Watson does have within the military court system. Several options ordinarily would be open to him, but for one reason or another none is satisfactory. The Court of Military Appeals and the Army Court of Military Review cannot take an appeal in a case like Watson's, for which the potential sentence is less than six months in prison. The Office of Judge Advocate General can take the appeal only after Watson has been *convicted* on the possession charge, and that has not yet happened. This leaves only the court of Judge Daniel Benson and a trial on the charges. If the trial is delayed, as it may well be, beyond early summer Judge Benson, whose earlier decision on the jurisdiction issue was a sympathetic one, will no longer be on the court. He gets out of the army on June 30. Another judge would take over.

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The deck thus seems stacked against Watson in the army courts. His lawyers, once again, are looking for a civilian out, this time an appeal to the Federal Appeals Court (Fifth Circuit). And its ruling, whatever it may be, necessarily will be roundabout. It has been asked to rule only on whether the District Court was correct in stating that *it* had no jurisdiction since Watson's military remedies, such as they are, have not been exhausted. (Judge Benson temporarily has waived a trial on the possession charge 'til the Fifth Circuit gets around to a decision.)

Judge Benson, meantime, has continued to exhibit his own conscientious doggedness. After the Watson case had been returned to him for trial he wrote a second nearly identical decision in yet another case, dismissing charges and making reference to the Watson case. A friend of Judge Benson says that "his brand of Marshallian independence has been met by incredulity, if not blind animal rage at Fort Bliss." The military has stopped referring off-base drug cases to Benson. They now go to a more congenial judge – a man who doesn't share Benson's qualms about the army's jurisdiction.

The Supreme Court's O'Callahan decision has not gotten the attention it deserves as a blow to the military court system. Lacking the standards and procedures of the civilian courts, the court-martial system has been deprived of a whole class of cases over which it has traditionally asserted its control. Such inroads into the military province may continue. On February 27 the Supreme Court agreed to hear another case with even greater potential effect on the military courts. In *Relford v. Commandant* the court will be hearing arguments on the right of courts-martial to try soldiers for crimes committed against civilians on military installations, specifically rape and kidnaping. The court will be asked to decide whether the O'Callahan rule applies and whether it should apply retroactively to cases already decided by courts-martial.

David Sanford

Mexican Justice

Over one hundred university students, as well as several professors, are in Mexico City's Lecumberri Prison because of their activity in the Mexican student movement of 1968. Charges against them include kidnapping, disrespect for authorities, subversion and inciting to riot. Many have not been formally charged at all. Most have not had a trial date set. None has been allowed bail. Their imprisonment for over a year and a half without a trial is in violation of the Mexican Constitution, which is the least of the government's legal and moral transgressions. It is estimated that over 300 persons, most of them students, were killed between July and December 1968. A large number were shot down by government troops upon a prearranged signal, while attending a peaceful rally at Tlateloco Square on October 2.

There's a news blackout on the prisoners, as well as on any political activities of students outside the jails, a fact brought home to me during a recent trip to Mexico. As a participant in an international forum on Youth: Violence, Drugs and Eroticism, I delivered a paper on the Mexican student movement of 1968 and ended by calling for the freedom of the student political prisoners. The audience of about 3000, primarily middle class and over 25, cheered and applauded for three or four minutes. Notes were sent praising my stand; people hugged me and pressed my hand. The next speaker, who by chance was a functionary of the ruling Institutional Revolutionary Party (PRI) and the editor of *El Dia*, a paper closely associated with the PRI, bitterly castigated me as a foreigner who had no right to meddle in Mexican politics. This was the line that the Mexican newspapers later followed. I was attacked in the press, and various organizations sent letters and telegrams to the papers and the government demanding my immediate expulsion from Mexico. Among these organizations was the youth wing of the "leftist" Popular Socialist Party (PPS). Almost without exception, the papers generally avoided the substance of my remarks. Two of my interviews with Mexican reporters were never published. Professor S. M. Lipset of Harvard, a fellow participant at the conference, defended my right to speak about the repression of the students, and he, too, called for their release. The newspapers denounced him as a "Communist" and an "extreme leftwing agitator."

Later, we were informed that we were the first persons since 1968 to call publicly for the freedom of the imprisoned students, as well as among a very few even to mention them in public. Mexican intellectuals and leftists congratulated me for my position. I asked why they did not speak out. Invariably, they replied that I was an American, a Harvard professor, who would soon be leaving Mexico; I could afford to express myself, whereas they had to live in Mexico. The braver of the intellectuals and leftists are either in jail or in exile. When anti-government Mexicans do talk in public about the political situation in their country, they speak in the broadest terms, using jokes and double entendres.

On the surface, the Mexican government's behavior seems odd. After all, the PRI has been in power for over 40 years and, since 1940, has garnered about 90 percent of the vote in every presidential election – a performance which is expected to be repeated this July 5. (Ironically, the man in charge of the 1968 student

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repression, Luis Echavarria, is the PRI candidate.) The economy is booming, and Mexico is considered the one country in Latin America to have entered the "take-off" stage of development. Opposition parties such as the National Action Party (PAN) and the PPS exist, but they are weak. The ineffectual Communist Party is legal but not allowed to run candidates. Workers belong to labor organizations whose leaders are PRI appointees, as are the leaders of the peasant federations.

Why then did the PRI act in so repressive a manner during the student disturbances of 1968? The answer, I believe, is that the PRI is more aware of the politically fragile situation in Mexico than are either its supporters or its detractors. For instance, there has been only *one* pro-government rally, on August 28, 1968, and that consisted mainly of dragooned government employees who were dispersed by rifle wielding troops when they began to shout anti-government slogans.

There is a great deal of public disaffection with the PRI government. The GNP has risen steadily, about seven percent a year, but income distribution, considerably skewed to begin with, has become more so in the last few years. Corruption permeates the entire society. The government is viewed as unresponsive. As dynamic individuals appear on the scene, they are either co-opted or die under mysterious circumstances, as in the cases of Carlos Madrasso, the expelled former PRI chairman, and Ruben Jaramillo, a peasant leader.

The students were, and are, dangerous to the PRI because they have managed to remain free of PRI domination, and were beginning to function as the voice of other scattered dissidents. During the '68 disturbances, students began to make some headway among factory workers, peasants, office workers and shopkeepers. On several occasions, mobs of non-students broke into local jails in Mexico City and liberated student prisoners. The students challenged the PRI's revolutionary identification and held up to public ridicule the disparity between the PRI's rhetoric of revolution and its actual deeds. For the PRI, this situation must have very quickly become intolerable, and it responded by using the army.

Mexico remains a one-party, repressive dictatorship. Few outside the ranks of the PRI hierarchy bother to defend it in private. Still, the government does value its public image as leftist and democratic. It should be forced to pay a price for this image – freedom for its political prisoners. Those who agree might want to write to President Diaz Ordaz directly. Academics can ask their associations to sponsor resolutions. Mexicans cannot speak for themselves. We can.

Arthur Liebman

Mr. Liebman is a research fellow at Harvard University's Center for International Affairs.

Whose Business Is Business?

University presidents and trustees, goodness knows, have plenty of troubles, and they now face another stickler: They are being petitioned by students and other activists to join in a widening drive to persuade major corporations to get out of defense work and to become more socially responsible and responsive. No breaking of library windows, no sit-ins of university offices in these campaigns. The techniques employed are as capitalistic as the executive bonus; stock certificates are used as weapons.

The precedent was set in 1967, when a civil rights organization masterminded by Saul Alinsky, took on Eastman Kodak, charging the Rochester, N.Y., film and camera maker wasn't hiring enough blacks. The dissidents bought a few shares of Kodak stock, giving them the right to attend annual stockholders meeting and confront Kodak brass face to face. The dissidents also asked several churches to vote the stock held in denominational investment trusts against Kodak management proposals – like automatically reelecting directors and okaying stock options for top officials. Several thousand shares were withheld or voted against management, peanuts when compared with the 161 million shares outstanding. But in the end Kodak stepped up its minority hiring.

This is the basic tactic being used today against, among others, General Motors, Honeywell, American Telephone, General Electric, Boeing, Commonwealth Edison, United Aircraft, Gulf Oil. Acquire a few shares to gain entrance into the annual meeting, and besiege institutions which own such company stock to side against management. In the Kodak case the issue was minority hiring; in 1970 the issues are profiting from Vietnam and other military contracts and polluting the water and air with plant and product. In the Kodak case, churches and their stock portfolios were the major ally; in 1970 the primary potential allies are universities, which already are in the throes of social change, and, to a more limited but significant extent, financial institutions like mutual funds, banks, pension funds, insurance companies.

The smartest campaign, and up to now the most successful, is being staged by a group of young students and lawyers against GM. They are loosely allied with Ralph Nader, the automaker's longtime nemesis, and they have won the right to force GM's 1.35 million stockholders to vote, at the annual meeting May 22 in Detroit, on adding three "public" directors to GM's board and creating a special committee to goad GM into coming up with a "clean" car. The Campaign GM group (formally called the Project on Corporate Responsibility) owns 12 shares on its own and thinks 29

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million other shares are in the hands of institutions, including universities. To pick up sppport, Campaign GM mailed 2000 letters to institutions; the response has been noteworthy.

Institutions owning stock almost invariably vote with management. That includes universities, which customarily direct proxy statements to treasurers or investment advisors who automatically check the "In Favor" boxes. So when the GM proxy issue came to Harvard's attention, Treasurer George F. Bennett (class of '33) initially reacted: "GM has done a good job for the public, its stockholders and the employes. . . . I'd have to see some pretty persuasive evidence to make me vote against management." But Harvard President Nathan M. Pusey (who in 1967 had said, speaking of his institution's policies: "Our purpose is just to invest in places that are selfishly good for Harvard. We do not use our money for social purposes") began feeling the heat from student allies of the Campaign GM group, and soon he was saying the university would let "the academic community" decide on how Harvard's 287,000 GM shares should be voted.

Also at Cambridge, a similar reaction set in at MIT (where Chairman James R. Killian Jr. and trustee Lloyd D. Brace are on GM's 24-man board). MIT has 226,430 GM shares in its general investment portfolio. Similar stories came from Yale (85,686 shares), Michigan (27,538 shares), California (93,775 shares), Mount Holyoke (12,700 shares) and even Texas (66,585 shares). The University of Pennsylvania voted to cast its 29,893 shares with Campaign GM. New York Mayor John V. Lindsay urged the city's four pension funds to do the same. And at the Oppenheimer Mutual Fund, one of the biggest and most respected in the industry, Chairman Leon Levy was reported ready to recommend his 115,700 GM shares be voted against management – an unheard of decision in such circles. In Washington, the Campaign GM youngsters bubbled with claims that several major banks and foundations had consented to hear their plea.

In Chicago, Alinsky's "proxy power" tactics are being used by students planning to protest Commonwealth Edison's pollution-causing practices; reportedly, 20,000 shares of utility stock will be voted against management at the annual meeting April 27. The New Mobe says it will turn up at General Electric's April 22 meeting in Minneapolis, properly armed with one or more proxies, to protest the company's extensive defense contracts. GE's meeting, by the way, coincides with a nationwide environmental campus teach-in An Alinsky-allied "Proxies for People" group has joined a Minneapolis-based organization called "Honeywell Project" to gather proxies and attend the April 28 stockholders meeting of Honeywell Inc., maker, among other military items, of fragmentation bombs. The New Mobe also plans to attend the Honeywell meeting, as does a bearded Yale senior, Charles A. Pillsbury. He says he owns 101 Honeywell shares and wants to nominate a director to vote against Honeywell's "unstable war business." Young Pillsbury is the grandson of the Pillsbury Co. founder and the nephew of Army Secretary Stanley R. Resor. In Washington, a young group has organized "the Council on Economic Priorities" to influence corporations on their social involvement and responsibilities.

Nowhere do the dissidents stand a chance of winning immediate and outright victory. In the GM case, for example, there are 287.5 million shares outstanding and only 10 percent or so are owned by institutions; the bulk are in the hands of "silent majority individuals." In most cases, the stockholder meeting dissidents are likely to be heard out by the management. That makes for good public relations and corporation "democracy." The most vocal and vociferous boos are likely to come from the other meeting-goers; there are 25 million stockholders in this country, most of whom support the company leadership through thick and thin and dress down anyone who dares suggest stock options are too generous and bonuses too liberal. When a representative of the Business Executives Move for Vietnam Peace suggested at the Bank of America meeting that the nation's largest bank was profiting from the Vietnam war (it has several branches in Southeast Asia) he was hissed. But the shareholders enthusiastically supported a management resolution condemning violence.

Yet underneath, any corporation wants to be loved, for itself, its products and its stock, and the prospect, say, of having Harvard, MIT, Yale, Pennsylvania and the Oppenheimer Fund vote with the dissenters isn't going to sit well with GM. Ditto for the other corporations under attack. They are getting it from an increasing number of sides these days, being asked to turn out products that last longer, are easier and cheaper to fix, and serve man without smogging up the air or befouling the water. The day may be coming when a company at least thinks twice about taking on war work, or a university a government secret research or defense contract. Few company chairmen would want to hire the young men they'll confront at this year's annual meetings, but even here management knows it must keep in the good graces of the young it needs to fill offices, laboratories and assembly lines. Not too long ago, students of Harvard's Business School (often called the "West Point of Capitalism") polled 600 corporations not on job chances but to ask what managements were doing on pollution, minority employment and consumer protection. The 1960s, in retrospect, may have been the decade of the gross national product; the 1970s, may focus attention on what to do about the gross national byproduct.

Robert W. Dietsch

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Somewhere between Society and the Cemetery

Where We Put the Aged

by David H. Pryor

Almost one million Americans, a large silent minority, are in 20,000 nursing homes. They've been sent there to die, in a halfway house somewhere between society and the cemetery. We've had the idea that if we could funnel more money into the nursing home industry, the quality of care would rise. We've been wrong: the patient has taken the backseat to profits. This is where government erred: it treated nursing home care as a housing, not a health program.

A few months ago, an *Associated Press* series of articles on the nursing home industry disclosed that:

► Physician care for the nursing home patient is so scarce that it is a national scandal;

► One-seventh of drug prescriptions to nursing patients are administered wrong, and drugs are commonly used to make patients "easier to handle";

► The average food-cost per patient in many nursing homes today is less than $1 per day;

► In a Topeka, Kansas home three-fourths of the patients checked had not been seen by a doctor in six months, and in Minnesota, the average amount of physician care per patient in 100 nursing homes was 2-1/2 minutes per week;

► The National Fire Prevention Association shows nursing homes at the top of unsafe places to live.

A *New York Daily News* reporter, hired as a nurse's aide, found the food in several New York homes abominable, filthy rooms, roaches in glasses, dirt in water pitchers and indescribable conditions in bathrooms.

From other news reports we learn that a nursing home administrator may well have as his only qualifications that he was a junk dealer; that tough federal regulations have been much slower reaching the nursing homes than federal dollars; that 87 nursing homes that failed to meet federal standards were paid $380,000 in the last half of 1968; that in Wisconsin, a 317-bed home went without regular state inspections for almost three years, although a 1967 check resulted in a four-page list of violations.

It will be recalled that 32 persons recently died at Marietta, Ohio in a "good" nursing home which had been allowed to operate with "deficiencies."

A maze of pyramiding new government programs such as Medicare and Medicaid, new methods of financing nursing homes, new formulas adopted by Social Security and welfare agencies to reimburse the proprietors of nursing homes, together with a lack of interest in both the enactment and enforcement of tough regulations which protect the patient – all this adds up to booming profits for the owners, and explosive and rising costs for the patient, their relatives and the American taxpayer. A Wall Street executive states that "in the nursing home business – there is no way to lose." Some 70 nursing home chains have been established in recent months which now sell their stock to the public. Mutual fund companies own approximately six million shares of these stocks. Nursing home securities are referred to as "the hottest stock on Wall Street." *Business Week* entitles an article, "Nursing Homes Offer an Investment Lure." The same publication elsewhere explains a novel financing plan whereby several nursing home chains induced doctors to find patients for them by selling a major interest in each home to a group of local physicians.

Only 10 percent of our nursing homes are nonprofit institutions, and these as a general rule are operated by communities, locally supported hospitals, churches, religious organizations, or fraternal groups. Those who are entering the nursing-home-for-profit business, according to many of the prospectuses now on file with the Securities and Exchange Commission, are generally builders, contractors, restaurant operators, fast buck entrepreneurs.

The price per bed in these homes is zooming upwards at an alarming rate – $700 a month is not uncommon. In addition to the basic room and board fee, there are often "extras," which are not known until the first statement arrives.

I became interested in this scandal several years back while serving as a freshman legislator in the Arkansas House of Representatives. At each legislative session we found ourselves voting additional welfare payments for the local nursing home industry. We were told that the additional money would be spent for additional care. We never discovered what additional care or services would be improved or how the patient would benefit.

Coming to Washington, I spent four weekends as a volunteer worker at nursing homes in the area. I

Congressman David H. Pryor (D) *represents the 4th district in Arkansas.*

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saw loneliness, despair, anxiety, – and boredom – total, absolute boredom. The only relief comes when the attendant brings a meal into the room. In one room of 14 beds, the proprietor woke an elderly lady, asked her how she was feeling and then told me that this particular patient had had a "slight heart attack" early in the day, but that they did not make a practice of calling the doctor on Sunday. In another home, as I was clipping the toenails of an 80-year-old veteran, he told me not to let the attendant see me do this as they charged $7 when they did it. I saw toothless patients served big slabs of cold meat, which they were incapable of cutting into bite-size portions. In a home of 80 patients, there was only one attendant on duty. In the hall I saw four helpless people in wheelchairs, three of whom were sitting in their own excretion. The attendant told me, "We just don't have enough help and the owners don't pay us enough to live on."

"Who shaves your older men?" I asked one proprietor. "About every three days, when they catch up with their other work, that is the job for the maintenace crew," was his reply. "How much does it cost to have a patient here?" I asked an attendant in a Maryland home. "It depends on their income," she said.

A friend of mine in Connecticut recently visited four nursing homes in his area with the idea of placing his father in an extended care facility. He saw "attendants ignore one old woman's call for help; I saw one owner talk in an insultingly derogatory way about a patient, in front of that very patient; I saw incredible filth and signs of neglect; and I heard things that seemed to me to evidence a callousness and crudity that I certainly would not want any parents of mine exposed to. The owner of the home said to me. 'Look, your father is getting old and he is hard to handle, right? You bring him right here, maybe in a few weeks you can take him home on a Sunday afternoon, but the first thing you've got to show these old people is who's boss.' The brochure the owner handed me refers to 'pleasant home atmosphere.' "

Several myths have been successfully sold to the American public. One of them is that all nursing homes or homes for the aged are strictly licensed, duly inspected, and that a "health team" is physically present at all times, or at least nearby to serve the patients. It's not true. Another myth is that if an institution states that it is "approved for Medicaid and Medicare," then it is a home which provides good service to the patient. That's also untrue. There is no control over the nursing home industry, though two out of three patients in nursing homes and homes for the aged in our country are kept there through some federal or federally assisted program. One chain nursing home owner said in a recent newspaper article that 85 cents of each dollar that flowed into his business came from government sources.

The taxpayers are paying $2 billion a year to the nursing home industry. All controls over where this money goes and what it buys are fragmented, self-frustrating, and ineffectual. Both the Medicaid and Medicare agencies in the Department of Health, Education and Welfare issue standards for nursing homes participating in their respective programs; neither agency enforces its standards. In the case of Medicaid, which is a state-administered program, nursing homes are certified for participation by state agencies. Certification is often on the basis of surveys and reports by county agencies. The federal administrative agency, the Social and Rehabilitative Service, has virtually no control over the quality or frequency of these surveys and does not even receive information on the number of homes certified by the states. If a patient or his family writes to his representative in Congress to complain of conditions in a Medicaid nursing home, the complaint is usually referred to HEW for investigation. HEW in turn refers it to the state agency and from there to the county agency, which probably is responsible for permitting the condition to exist in the first place. The patient has nowhere to turn. No one is in charge.

The Social Security Administration must approve nursing homes for participation in Medicare as extended care facilities. Here too, the standards, which in many respects are vague, are actually applied by state and county agencies. Reports are sent to the regional offices of the Social Security Administration where the certifications are signed, with little or no knowledge of actual conditions in the homes. Social Security officials have no information on the qualifications of surveyors doing Medicare inspections.

The tremendous sum which federal programs are pouring into nursing home care is profoundly affecting the development and growth of the industry. The infusion of dollars has stimulated a building boom in nursing homes which is completely out of hand. Congress has appropriated funds to assist state and regional planning agencies in their efforts to rationalize the numbers, types and distribution of new health facilities; to curtail waste and duplication; and to pro-

COMING: Kenneth S. Norris in his article "The Third Fish" argues the necessity of population control

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vide our communities with a balanced complex of facilities which can deliver modern medical care in an effective and economical way. At the same time, Congress has frustrated those aims by enticing investment capital into the industry on a huge scale, with a virtual guarantee of business and profits.

The Securities and Exchange Commission is charged with serving the investor public. Let me then put to the SEC some questions the public needs to have answered: Are the nursing homes listed as properties of a particular company good or bad, are they properly staffed, do they give good care? Are some of these newly formed public companies simply devices for paper transfer of ownership and inflating the capitalization of the properties? Are the SEC and HEW working together to assess the burgeoning growth of public investment in nursing home chains? They are not. No one is protecting the public, no one is protecting the tax dollars, and no one is protecting the patients.

Anna Louise Strong

The Classic Fellow-Traveler

by Nym Wales

Strong-bodied, strong-willed and strong-hearted, she was Miss Strong unless you earned the right to use the full name Anna Louise. Never was anyone more aptly surnamed than this descendant of the Puritan progenitor of the Connecticut Valley, Elder John Strong.

When she died of a heart attack in Peking last month at 84, she was finishing her autobiography and the press had reported she was returning to the States to arrange for its publication. I had urged her to write it years ago, and she had countered: "But I've already published everything I know." "You can condense your life and make it readable," I said. "Make it the one monument of your existence. Besides, it would do you more good than anything else. You need a perspective on yourself."

This was just after she had been released from Lubianka Prison in Russia in 1949, arrested as a spy for the American government. She was totally nonplused about it. She said, "in the Soviet Union it is inconceivable that Washington would have given me a passport and let me go back and forth as I please all these years. I've never had the least trouble about my passport. Maybe it's because there's a woman at the head of the Passport Office." She was furious at the Communists in America. "Not one of them will do anything to help me," she spluttered. "Not one will even see me. You can tell who's a Communist and who isn't just by the way I'm ostracized. Only Edgar Snow and Corliss Lamont seem to have any sympathy for me and I know they're not Communists."

She was demanding that American Communists should hold a hearing for her and prove she was not guilty of anything. She was astonished that she found no fair play. She said to me, "As for the Soviets, this is just another big injustice in an inefficient government. Plenty of people have been victims of injustice. I'm only another one but I happen to have an American passport."

I said, "I do not know much about the etiquette of the Communists, nor what they ought to do in such cases. I do not know whether or not you are a Communist; are you?"

It is the only time in my life I ever asked anyone such an ill-bred personal question and I deserved the answer: "I don't know whether I am or not. I never had a card and I never paid dues, if that's what you mean. But of course, I have always thought of myself as a Communist. Surely everybody knows where I stand."

I do not think Anna Louise Strong ever joined a Communist Party anywhere. She was not a political activist in the sense of working on committees and promoting causes and raising money. She kept her nose to her own grindstone. She was a law unto herself. Her profession was collecting information and publishing it. But she did not report on both sides of the lines. On her own side, she reported what she could find, conscientiously and with prodigious industry. Her mind

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Nym Wales' *latest book (1967) is* Women in Modern China. *She is at work on an autobiography.*

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was as uncritical as a camera. She wrote what she saw and what she was told. She did not turn over any rocks. Her mind was not skeptical. She was not a scholar, she did not suspend judgment. She believed people were honest and told the truth. She believed human nature was good. It is not easy to understand such a mind, especially if you are on the enemy side. From the point of view of Communists, she seemed an outsider looking on, not an insider looking in. In other words, she was a fellow-traveler. Only because of her unique position was she able to shuttle back and forth so many years between Europe, China, the USSR and the United States.

I first met Anna Louise Strong on a ship in Shanghai about the end of 1937 or early 1938. My husband, Edgar Snow, took me to talk with her. Several other newspaper people were along. But she was rude and ugly to them. They had nothing for or against her, but she treated them like deadly enemies. She ordered everyone but Edgar Snow out of the room, including me, until she found out that I was his wife. She then glared at my high-heel shoes, my leopard coat and makeup with blue-eyed disapproval, got out her notebook and interviewed my husband instead of the other way round. She was businesslike and brusque, with no small talk. She ignored me until I asked Ed to tell her I had read her book on China in 1927 and that it was a classic. She then put one small, beautifully shaped hand on her immense hip and swiveled around for another look. I think she had forgotten I was there. She did not smile exactly. She was neither warm nor cold, just room temperature. She was quick, bright, fast-spoken with no time or energy to waste. Her face was finely modeled, with a good sharp New England profile. In her youth, she must have been unusually handsome, with fair skin and expressive features. She wore flat heels and looked like a page out of an old album of Early Woman Suffrage days. She never wore makeup. She was not unfeminine, but strictly non-maternal. Early Career Woman was written all over her, in a day when women had to fight to get anywhere at all.

She looked upon my husband as a rival in the reportorial field and did not hide the fact that she wished she had been the first to break the news blockade against the Chinese Communists. She had a proprietary attitude toward the Chinese Revolution as well as the Soviet Union, and she did not particularly welcome nonunion interlopers (even though she was herself nonunion). But she treated Ed with respect and interest and after that she considered herself as our special friend, including me, to my surprise.

I don't believe she had any sense of humor, nor did she see any reason for one in her profession. Photographs of her in her eighties show her looking 20 years younger. She still had the immense overweight (over 200 pounds I would guess) that never prevented her from nimbly traveling all over the globe. In China, this would be looked upon as grotesque; even so she was treated with respect. I don't think she ever tried to be charming. But on the platform, she was impressive, forthright and open. She was not capable of introspection. She had no personal life and no private psychology. In 1932 she was married in the Soviet Union to Joel Shubin, a Russian agronomist who died about 10 years later. I was told that she was as meek as a mouse around this little man half her size. She had no children.

She had been born on November 24, 1885 in Friend, Nebraska, where her father was Congregational minister, but her home was in Seattle, Washington. She graduated from Oberlin College in 1905, was the youngest woman ever to receive a doctorate from the University of Chicago; her thesis was on "The Psychology of Prayer." Since both China and the USSR are in a stage of Early Puritanism she found them congenial. She had the type of mind her ancestors brought from England – the courage of one's convictions, a proper sense of self-esteem, and an eye for the main chance. She was proud of her career and anxious for a "scoop." She published three books on China and three on the USSR plus *I Change Worlds*. She once said to me, "I would never write anything but a hard-cover book. If it's not worth a hard cover, it's not worth doing." For many years she was editor of the *Moscow Daily News*, which she founded.

In 1949, she told me with exasperation: "I just missed the Russian revolution and now I've just missed the Chinese revolution. That was the one thing I was determined to see; I had expected it for 20 years. I waited in a Moscow apartment four months for an exit visa. Every week the Chinese were taking one city after another. I was desperate. But instead of my permit, the Russians arrested me and then they sent me back through Poland instead of China. I was never given the slightest idea why I was arrested."

She was even more angry about missing the victory celebrations in Peking than about her unjust arrest. "Maybe the two are connected," I said. She did not at that time seem to realize the hostility already building up between the Russian and Chinese Communists.

I never knew the exact reason for her arrest, but she had written *The Chinese Conquer China* and copies of the manuscript had been handed out for translation in various countries. She had placed the book all over Europe. Gottwald in Prague and Rakosi in Budapest had interviewed her about China. She said she had been "promoting China all along the way." She was not niggardly in praising "Maoism" and Mao. The Russians would not want her book to have any influence, as was clear after the open break with China 10 years later. For example, she wrote that Lin Piao had been sent to Manchuria by American plane in 1945, at the time the Russians were turning over power to

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Chiang Kai-shek. Her book stated:

"What help did you get from the Russians?" I asked Lin Piao.

"None," he replied categorically. "No troops, no weapons, no advisers, nothing! . . . Whatever arms or war supplies they took from the Japanese they took into Russia or destroyed on the spot." She then quoted a Russian major in the Soviet Far East: "The Chinese Communists were very annoyed," he remarked, "when we threw them out of Mukden and put Chiang's men in. Chinese Communists had been there first. But what could we do? We had our treaty with Chiang."

For an anti-Communist to say such things would not have infuriated the Russians. But apparently they wanted to destroy Anna Louise Strong's influence inside the Communist movement by calling her a spy.

Only one thing made her amazing career possible: she was known to be an observer, an American writer above the battle, not engaged in any Communist Party work for anyone, though sympathetic, of course. Otherwise, she would not have been welcome, as she was, in either Yenan or Moscow, though she might have been tolerated for a time. By 1969, several of her friends were in prison in China (also on mysterious non-charges). In my opinion she had nothing to do with all those secret and recondite Marxist conflicts. She was a kind of Red Riding Hood among Marxist wolves. For 40 years she walked where angels feared to tread, unaware of all the subterranean conspiracies – until they were handouts to the press.

In her twenties Anna Louise Strong had become interested in the labor movement in Seattle and worked on a labor newspaper, *The Seattle Union Record*. She was a disciple of Lincoln Steffens from the moment she heard him say, on his return from Russia: "I have seen the future and it works." She went to Russia in 1921 to see for herself, and stayed there most of the time for the next quarter of a century. Her one-track mind ran along the trans-Siberian railway between Moscow and Peking. Her only subject was socialism in practice. Very early, she decided socialism was *right*. She saw the constructive results and failed to see the tragedies in the shadows. She was not a Stalinist, or a Trotskyist. She seemed on the surface to be a Maoist just before she died, but that term is too confining. She did not have a critical, theoretical mind. She had first gone to China to report the 1927 revolution and massacre. She returned, briefly, 10 years later. In 1940 she was the first foreigner to fly over the new route from Moscow to Chungking.

At the end of World War II, she went back to China at age 51 and spent nine months collecting material for *The Chinese Conquer China*, published in 1949 just after her arrest by the Russians. She lived in a Yenan cave and caught the Yenan Mystique. She wrote: "Never in my life had I felt so close to the human power that builds the world as there in that isolated, beleaguered Yenan." She interviewed Mao Tse-tung. Those who spent the most time with her were Lu Ting-yi, Liu Shao-ch'i (both then more Maoist than Mao) and P'eng Teh-huai. All three were execrated by the Red Guards and eliminated from the leadership by Mao Tse-tung by 1969; her friend Sidney Rittenberg, whom she had invited to Yenan, was put in prison, along with others.

Shortly after she was released from prison in Moscow, I received a telephone call from her. She was in New York: "I have influenza here in a dreary hotel and I haven't another friend in the world. I want to come up." She arrived at my house in Connecticut and went to bed, happy to have an audience. Later, to my alarm, she began looking around in her proprietary way: "Who's using Ed's studio house now?"

"It isn't heated," I said.

Anna Louise did not spend her last years with me, but with Rewi Alley in Peking. They were the two last-ditchers among the Old China Hands. From 1958 to her death in 1970, she and Rewi each had big apartments on different floors of the former elegant Italian Embassy in the Peking Legation Quarter. They shared a cook and maid and ate meals together now and then. Anna Louise had her own secretary and automobile. Every year one or the other traveled from Tibet to Manchuria, from North Korea to Canton. They entertained a stream of visitors from Europe at the "Peace Compound," as the building was called. During those years, she published *Letter from China* from 1 Tai Chi Chang in Peking. She sent me a copy regularly.

When the Cultural Revolution began in 1966, the teen-age Red Guards gave her a red armband to protect her from harassment. On her 80th birthday Mao Tse-tung and his wife entertained her to publicly proclaim that she was not to be molested. She was almost the only American to survive all the tempestuous years from 1927 to 1970 and stay in the good graces of the Chinese. Even her old friend Madame Sun Yat-sen was vilified by Red Guards. Anna Louise always envied John Reed's being buried in the Kremlin wall and regretted not arriving in Russia before he did. Chinese don't bury people in walls but the death of Anna Louise Strong is its own landmark, the end of an era.

I remember being invited to a house in Hollywood in 1941 where she was staying. After lunch, she took over the entire premises for her siesta and rest. No one could make a sound. In fact, we all had to leave. She took good care of herself. She was self-sufficient, self-centered, self-esteemed. She was encased in Athenian armor, safe from emotional injury. She said that after she got her PhD she ended "by hating philosophy so that I never wanted to read a book of it again." Nor did she until 1966 when she picked up Mao Tse-tung *On Practice*. She had no philosophy, and did not need any until her arrest in 1949. She had the secret of survival.

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Stanley Kauffmann on theater

Landscape and Silence

(Forum)

Harold Pinter's new short plays reveal a new Pinter. He doesn't produce much, but usually a new Pinter work means some sort of development. Each of his successive long plays, *The Birthday Party, The Caretaker, The Homecoming* – has shown, within the realm of Pinter's temperament, differences in control and interest. These two new short pieces are Pinter's first works of gentleness.

Neither play has a story, not even a logically eccentric one like *The Homecoming*. It's possible, retrospectively, to put together something of a story for each, but it has to be done merely as outline, not explanation. Otherwise the implication is that Pinter thought up a plot, then jigsawed it into a puzzle, and scattered the bits out of sequence for us to rearrange. This approach brutalizes two sensitive plays. In essence they are not coded stories, they are evocations from certain lives that have been lived in certain juxtapositions, and the evocations include silence. The plays are not concerned with alienation or difficulty of communication, two facile Pinter "labels" that have already been trotted out by people who finally got a pigeon-hole carpentered for Pinter and keep trying to shove this changing man back into it; the silences in these plays are between people who *have* communicated.

Silence has three characters, two men and a woman who sit on widely spaced chairs. (The woman approaches one man at one point.) They are presumably older people (no make-ups are worn). One man lives quietly in the country with animals, the other man lives surlily in a noisy rented room in town. Both of them focus on the woman as an object of affection – as woman, as girl, even as child – and time flows back and forth for all of them as carelessly as light flickers. The two men address the woman only occasionally but each other never. Pinter lifts out segments of three lives as they may have brushed and entwined now and then, and from them draws quintessences of moments and moods, not narrative. At the Forum Theater in New York, the evening begins with *Silence*, which is repeated in its entirety after *Landscape*, and this gives the evening a double design since *Silence* is itself cyclical in shape.

With the very first line of *Silence*, a different language comes from Pinter. The quiet man begins:

> I walk with my girl who wears a grey blouse when she walks and grey shoes and walks with me readily wearing her clothes considered for me. Her grey clothes.

Later, the woman remembers a younger day in the country:

> I turn. I turn. I wheel. I glide. I wheel. In stunning light. The horizon moves from the sun. I am crushed by the light.

Pinter has always *placed* words exactly: for verisimilitude, for rhythm, for silhouettes of banality that enclose horror or, very often, humor. Now his language is evolving new lyric qualities, poignant, still, compassionate. Most of his characters have been on their own, fighting for prerogatives of self against others, fighting even for their desires against the persons desired. In these two new plays there are acknowledged weaknesses and dependencies.

It is further apparent in *Landscape*. In the kitchen of a large country house sit two characters, presumably man and wife, presumably a "pair" in service there. He addresses her throughout, she never addresses him and never seems to hear him; her utterances are all memories. Neither person rises during the play. Again it is possible to reconstruct something of a "story," more than in the other play. We can infer that she has had some mental trouble, that it had something to do with a confession of unfaithfulness by him, that her devotion to him – exemplified by a day on a beach when they made love to have a child – is where she still resides; that his devotion to her, suggestive of contrition, consists of telling her details of his daily doings on the farm and in the pub. He speaks in rather more expected Pinter terms, in detail made large, like Oldenburg's sculpture – all excellently molded. The play's effect is of a protector caring for an injured person whom he injured, but without anguish. She and he take their lives as they have happened, and the last line is hers, spoken to the man no longer present, the man on the beach that day: "Oh my true love I said."

The Forum is the small "experimental" theater underneath the large Vivian Beaumont at Lincoln Center, where I have gone frequently in the past few years only to be disappointed frequently. Not so with these Pinter plays: they are small, delicate additions to our drama. The Forum production itself is another matter. The settings and lighting do little, which would not matter if the performances did more. (I read the plays after seeing them and now have a better idea of what they might mean in performance.) Peter Gill, a young English director, has a sense of phrase and seems to have worked with his actors on the essential imaginative foundation to "base" their lines, to govern their tempos and pauses. But these plays depend greatly on the very flavor of the performers, and these casts are insufficient. James Patterson, as the unquiet man in *Silence*, has the greatest chance for flamboyance and can make something of it; but his part is easier than the others. Barbara Tarbuck, the woman in *Silence*, is blandly adequate. Robert Symonds, both the quiet man in *Silence* and the "husband" in *Landscape*, is one of the Lincoln Center reliables. Here again he is competent and intelligent, but he is insufficiently rich. The two roles together emphasize how much Symonds relies on that rustic dryness which was good in Kit Carson (*The Time of Your Life*) but is getting to be something of a prop for him.

The chief disappointment is Mildred Natwick as the "injured" woman in *Landscape*. But then Miss Natwick's career is, sad to say, a disappointment. She began some thirty-five years ago as one of the most original and creative young actresses of her generation and has since given good performances (Madame Arcati in *Blithe Spirit*, for instance). But in general she has not developed and, in fact, has diminished. Her recent performance in the New York production of *Our Town* was

(Continued on page 31)

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Reed Whittemore on verse

Letters for Origin by Charles Olson

Edited by Albert Glover
(Cape Goliard Press; $3.95)

Charles Olson died four months ago. He was a difficult and eccentric writer and teacher, whose followers and admirers, though not numerous, are firm in their loyalty to his talent and way of art. An outsider comes to him best through a celebrated but now aging Grove Press anthology, *The New American Poetry (1945-60)*, edited by Donald Allen, where both his verse and verse theory (though he professed to hate aesthetics) are well represented. The book at hand, a collection of letters, is an extremely private document, and the editor, Albert Glover, seems to have been determined to keep it so (by carefully *omitting* from the book the "scholarly clarifications" that he concocted as doctoral dissertation for the State University of New York at Buffalo). It does, however, display the intensity of the man, and something of his life and character, as well as illuminating some of his notions of "projective verse." It should be put with his first book, *Call Me Ishmael*, as background material for the poems.

Call Me Ishmael, published in 1947, is an odd but telling reconstruction of *Moby Dick*'s origins in Melville's mind and experience. Olson concentrates on the Pacific as SPACE and TIME (Olson loved capitals), and on Shakespeare's dark plays as a source of the character Ahab. The new *Letters For Origin* show us not Ahab or Melville but Olson himself contending with primal elements on dry land, and using for a whaleboat a little magazine called *Origin*, edited by Cid Corman. With the naivete of the best and worst of those who have entrepreneured in little magazines, he apparently did think of himself as vaguely in Ahab's position as he shipped off his manuscripts to Corman. The magazine, published for four or five years in the mid-fifties, is no longer even available at the Library of Congress (which recommended to me that I go to the New York Public Library or Kyoto, Japan for it), so it may not seem a very seaworthy craft. But to Olson it was. His poems had appeared only spottily elsewhere, until Corman came along. Corman offered him and Robert Creeley great quantities of space – comparable, I suppose, to the Pacific – and Olson set forth with the vigor of all great American entrepreneurs to achieve a conquest.

Corman was an affable collaborator mostly, and Olson displayed great affection for him except when he talked back. Olson praised him particularly for wanting to organize the first issue of *Origin* so that it could be read "from cover to cover as a single effect" – shades of Edgar Allen Poe. Olson wanted a magazine, like a poem, to be a "FIELD OF FORCE"; he disapproved the way most magazines were broken up into sections of poetry, fiction, and criticism, and he filled Corman's ear with diatribes against conventional categories. Insistently he spoke of getting down, or back, to primary things; in the middle of their correspondence, as if to prove his point, he took off for Mexico to study Mayan culture. With the elemental on land or sea he professed to be at home; there he sought, with Ahab, honesties.

And as in Ahab there seemed to be in Olson a sort of elemental confusion of motives. Was the act of writing a poem (or publishing a magazine, or hunting a white whale) undertaken in the name of inner illumination or outward conquest? Was striking behind the mask war or art? Was it revenge against a cruel world or the pursuit of truth? If an inner search, why so much concern for constructing, like a blooming rhetorician, "effects"? A doctrine of effects in Poe's hands had a fine decadent air about it – art could be purely arbitrary, hoked up – but in Olson's the doctrine contradicted the search for the honesties and primal necessities he kept harping on. It seems he wished to be artful and artless at once.

His poems as well as letters display the difficulty. His two most ambitious anthologized poems, "The Kingfishers" and "Maximus of Gloucester," are both elaborately sophisticated constructs, but to the end of simplicity and wholeness. They preach the wholeness of elemental organic life but they are themselves patchwork composites after the manner of a Pound *Canto*.

Olson's hero, aside from Melville, *was* Pound; Olson matched Pound's yearnings for the Chinese and the Greek with his own for the Mayan, and he assumed with Pound that one could move freely out of the cultural trap one was born to – a common American delusion – into something more basic, truer. Also with Pound he divided his energies confusingly between escaping the culture and trying to set it straight, and therefore like Pound he found his devotion to art constantly being interrupted by his need to be a pedagogue.

It must have been the pedagogue as much as the artist in him that made him worry about "effects," but a pedagogue with only the haziest notions of how the "effects" might be received by an audience. Like Pound, when he set forth on an artistic conquest, he entertained extremely grandiose notions of what he was about. Ahab did too, but at least he was grandiose within the frame of whaling, an odd but worldly occupation. Olson seems to have had no such frame; he was out in the Pacific with his poems and his theory.

Olson's confusion about the size of his poetic ventures is both Poundian and American. In recent years particularly we have been treated to an enormous amount of romantic fudge about the uses of poetry. From the private life of the poet with his poem to the big bad world outside seems a big jump to the worldly. It did not to Olson, and it does not to most of the young in art. They imagine both truth and conquest to attend solemnly upon their acts of art, yet they are extremely misty about what truth it is they are seeking and what conquests they can reasonably expect.

A very different kind of poet, Wallace Stevens, constantly meditated on the powers of poetry, and kept coming to modest conclusions. He once said, for example, that poetry was a way of getting the day in order – he meant by that, as I read him, the poet's or his reader's *private* day. In contrast Olson seems to have thought of art as a way of plumbing the day, or making it over – and making it over for everybody. Thus, alongside Olson, Stevens is apt to look like a dilettante, not serious, not really committed – and at one point in his letters Olson says as

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much about him. Yet it was Stevens who could on the one hand describe beautifully the range of an artist's conquests (I think of "The Idea of Order at Key West"), and on the other acknowledge the presence of the "fatal dominant X," destroyer of poets.

The Stevens kind of perception I miss until very late in Pound; that great man was benevolently but sometimes absurdly Quixotic. I miss it also in Olson, but his last works I do not know. I suspect that its absence ultimately brought them both great disappointments; their fatal white whale was perhaps their own expectations.

Paul H. Douglas: An End to Concealment

Report from Wasteland: America's Military-Industrial Complex by Senator William Proxmire

(Praeger: $6.50)

Scandal in the Pentagon by William McGaffin and Erwin Knoll

(Fawcett; 75 cents)

These two books by conscientious and high-minded authors treat a common theme – there is in fact a "military-industrial complex" and it is using its great powers not only to defend the nation but to benefit itself. They show that of the $80 billion spent each year by the military about half or $40 billion is expended on weapons systems, which are developed in great profusion to meet every possible contingency. About two-thirds of this $40 billion goes to some twelve to fifteen industrial giants, most of them firms whose chief business is with the government. Six-sevenths of these contracts are not competitive but what are termed "single supplier negotiable." In the alleged interest of secrecy, the government picks a company and draws up a contract in more or less secret negotiations.

When I was chairman of the Joint Economic Committee, we found that on other items than weapons the actual cost was at least 15 to 25 percent higher than under competitive bidding. The inquiries by Senator Proxmire on weapons systems, particularly the C-5A, showed that the military and especially the Air Force would submit to Congress contract cost estimates which were initially moderate. This would win the approval of the Budget Bureau and of the appropriation committees of the House and Senate. Then as work started, a storm of change orders would descend upon the contractor, greatly increasing the cost. Thus the C-5A expanded in cost from $3.4 billion to $5.2 billion and may go still higher. Experts have said that it is customary for the ultimate costs to be double or treble the original estimates. Moreover those who are given the non-competitive contracts are customarily two years late in the delivery of the weapons. And most important of all, the average quality of the work is very disappointing. Since 1955, 13 aircraft and missile systems with electronic equipment at a total cost of $30 billion have been authorized. Only four have met the contract requirement that they must prove to be at least 75 percent effective. Two systems did so poorly that their contracts had to be cancelled. Two more systems were dropped because of "low reliability," while four more broke down at a performance level of less than 75 percent. Not a reassuring record

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A possible reason for all this is the extraordinarily large number of former high ranking officers who are in the employ of the favored contractors. In 1959, I found 721 retired officers of the grade of army colonel and of navy captain and above who were in the employ of the 100 leading contractors. Ten years later Senator Proxmire found that this number had risen to 2072 or about three times as many as a decade before. General Dynamics, the largest contractor, had 113 ex-officers. Lockheed, the number two contractor had no less than 210, and Boeing had 169. The other big companies employed top brass on a like scale.

While not supposed to deal directly on contract terms with the military, it is almost certain that these officers exercise influence. Many of their military opposite numbers are their former colleagues and subordinates. At times it seems as though the "military-industrial" complex consists of a series of revolving doors as officers pass from one branch to the other. The military also lobbies the press, industry, and even in some cases labor. Universities are given secret research contracts. Both industry and the military are successful in winning the support of senators and congressmen who represent the districts and states where the favored plants are located. Their especial favorites are the four Southerners who hold the key chairmanships of the committees which authorize and appropriate for the military.

The public interest is at present diffused and weak. That is why we should be grateful to the handful of brave men from Senator Proxmire and his helpers, such as Howard Shuman, to such honest journalists as William McGaffin and Erwin Knoll. And behind both have been public spirited experts like A. E. Fitzgerald and John McGee. If we are to be saved it will be by such as they.

The ultimate, and most unfortunate result of such tactics as most of the military use is likely to be a deep disgust on the part of public spirited citizens with the whole practice of military deterrence. Dependence on force is unchristian and in its larger and absolutistic aspects. But where one group of nations is determined to take the world over and then govern by terror, I do not believe that a relatively free society can or will adopt a policy of peaceful nonresistance or super-resistance. Our only hope is such mutual

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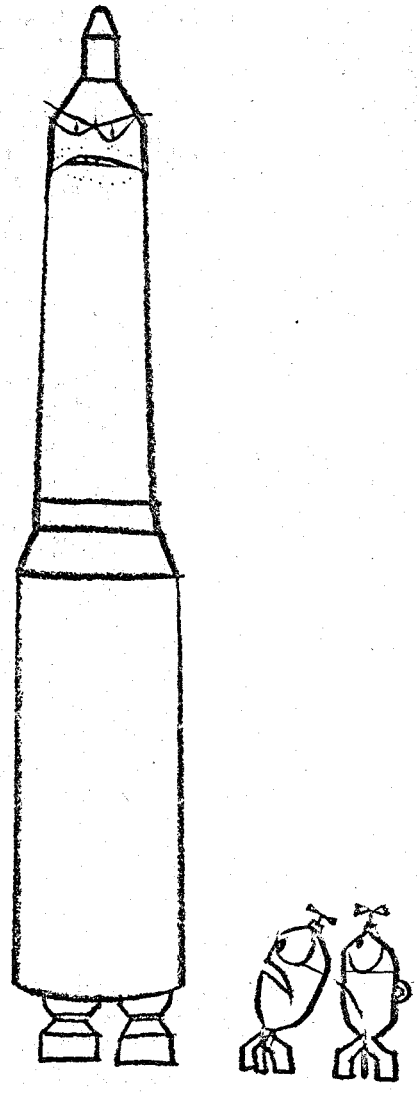
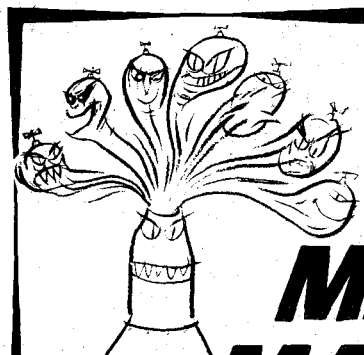
deterrence as will cause the nations to resist the temptation to take the offensive, and permit the desire for peace to grow up behind the exterior of force. This is highly precarious but it is, I believe, the only practicable hope for peace with freedom.

The danger is that if the "military-industrial" complex does not reform, if it holds to its present course, the search for truth will uncover facts which will estrange public opinion. That is why the military has tried to cover up and intimidate. But in a democracy this, in the long run, will probably be ineffective. The public will become so distrustful it will refuse to carry out even those parts of the military program which are necessary. The military by their refusal to lay their cards on the table and to reform will then ultimately defeat the legitimate features of their own program, and imperil national security in the bargain.

It is in the broader interests of the nation therefore that the "complex" should genuinely cooperate with such men as Proxmire, Fitzgerald and McGaffin. To do otherwise would be dangerous to true national security. The way out does not lie in military dictatorship, but in an even-handed program of reform. These books should help bring that about. I wish that everyone would read them.





The facts of life – or death – in the nuclear arms race

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Missile Madness
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Arms Beyond Doubt
by Ralph E. Lapp
(Cowles; $5.95)

Fouquier Tinville in the French Revolution rang his little bell to silence witnesses for the defense. L. Mendel Rivers, whose motto is "Rivers delivers" and who is chairman of the House Armed Services Committee, has a series of alarm clocks perched at his seat to silence members of his committee who get too curious about defense spending. So reports Senator Proxmire in his study of the military-industrial complex (see review in this issue). Dr. Lapp in his new book thinks technology is in the saddle riding mankind, weapons not men now make American policy. He is too kind. The roots of impending catastrophe are human fear and human greed, not machines.

Robert Osborn's satirical pencil stabs again and again at this simple point Scoville's analysis of technology is sensible but already slightly outdated, which Lapp's is not.

It's worthwhile – and isn't difficult – to show up the idiocies of ABM, MIRV, FOBS and the rest, considered solely on their demerits as instruments of war. But in the final analysis it's men that count, not weapons. The arguments for not having MIRV have failed not because they are faulty but because from where the MIRV-makers sit, they are irrelevant. Dr. Lapp argues that Congress must acquire the expertise in order to be able to talk back to the experts; but who will stop our Fouquier Tinville drowning the voice of reason with alarm clocks, whilst generals and admirals retired on big pensions greedily grab for more, by testifying in favor of bigger and bigger bangs on behalf of their new paymasters, the defense contractors?

Notes on Contributors

Paul H. Douglas is a former senator from Illinois. Bennett Shiff, *former art critic for the* New York Post, *is a free-lance writer living in Washington.*

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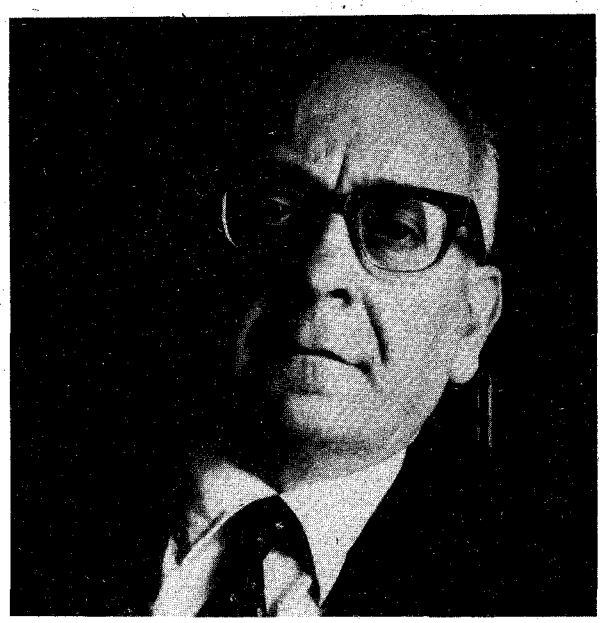

This man–a top Czech Government official–spent twelve years in jail for crimes he never committed. He survived to tell his chilling tale.

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—NICHOLAS MORAVCEVICH,
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"One of the most damningly authentic documents on Stalinism and its excesses published in recent years."—*Publishers' Weekly*

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Letters To Five Artists by John Wain

(Viking; $4.95)

Maybe it's like reading palms. From an artist's physical presence, and from the character of his artistry Wain extrapolates, in verse, a past and portent for him. He does it for five artist acquaintances. There's also an introductory poem doing Wain himself, the poet down the ages, beginning as Ovid exiled from Rome and ending as Wain "in a drip-dry suit, on his way to an INTERNATIONAL CULTURAL CONFERENCE" (there's *real* exile).

Some of this seems a bit misty vasty; Wain likes to play historian and lyricist at once, which leaves him doing rhetorical things reminiscent of middle MacLeish – a most unfashionable stance these days. But being unfashionable pleases him; he likes iambic pentameter, for example – *the* metre of English poetry – and thereby demonstrates how un-American a Britisher can be. This is his fourth book of verse.

A History of the Scottish People 1560-1830 by T. C. Smout

(Scribners; $12.50)

The Scots were a raw lot. Macbeth murdered Duncan, Malcolm Canmore killed Macbeth (in 1057), several of the Stewart kings were slaughtered (one of them in a sewer). Bubonic plague as well as civil wars and foreign invasions ravished the country, cannibalism kept cropping up, as late as 1699 there was a great famine. Amid such miseries, it seemed a natural belief that dark supernatural forces were ever on the prowl. In 1662 Isobel Gowdie of Nairn confessed to her tormentors that among other devilish deeds she "had made the minister very ill by swinging a bag with boiled toads and nail parings over his bed." For her offenses, Isobel was strangled at the stake then burnt in pitch. Scottish women had a hard time even when they weren't accused of being witches; well into the nineteenth century, women not horses were used to cart coal underground in the coal mines. Johnson's Dictionary defined oats as a grain which in England is generally given to horses but in Scotland supports the people. Other visitors were no more complimentary. Edinburgh in 1705 as described by Joseph Taylor is just a midden: "the excrements lie in heaps . . ." Yet this gaunt little society jauntily produced poets, novelists, architects, economists and doctors as well as philosophers and preachers. The Reader in Economic History at the University of Edinburgh has written a detailed social account that pays more heed to handloom weavers and crop rotation than to Bonnie Prince Charlie; the result is totally unglamorous and wholly fascinating, and the illustrations are superb. A second volume is promised to bring the story up to the present.

The Decline of the New by Irving Howe

(Harcourt, Brace & World; $7.50)

Irving Howe is excessively sane about literature. He knows all the combinations of engagement, existenz, modernism and tutti frutti, and he methodically keeps abreast of the latest and most; but through it all his social convictions remain fixed. He likes individualism, humanism, and a modest brand of socialism – and he keeps not finding them.

This is a collection of sensible essays about literary works, figures and movements that are mostly not sensible. A good collection it is. From the essay on modernism, where he finds nihilism in charge, to the essay on the New York Intellectuals, where he doubts that enough "energy and coherence" is left for a "sustained confrontation with the new sensibility," he develops enormous generalizations with knowledge and wit (the "new sensibility" is youth, the New Left, Marcuse and what-all). He is, however, a sort of minority figure on the New York scene, a man who knows who his enemies are and manages to encourage their attacks. It gets awfully inward sometimes, confirming the outsider's view that New York is literarily a small town constantly confusing itself with the world.

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Art

How They *Do* Talk, Those Conceptualists

Several years ago Bernard Malamud (in *Pictures of Fidelman*) invented an artist who dug holes in the ground to express impotence, weariness, despair and emptiness. All that is old territory by now.

In an age of murders, victims, spectators and actors the artists have opted for theatrics (see Robert Brustein, "Revolution as Theater," *NR*, March 14, 1970). This is not to charge that they are insincere. Most adherents of styles and movements in the arts are serious. But, they could do better for us. Public polemicists, they have joined the noisemakers. They are part of what they protest. They are in vogue. What hath Norman Mailer caused? And Duchamps?

We are now in perhaps the most intellectualized movement of them all, a frenzy in which its adherents protest they are anti-intellectual. Nonconformists protesting together, they are not as interested in making art as they are in explaining it. The rationalization has become more important than the art and it is meant to be. How did we get here?

We arrived by way of Cezanne, with whom modern art began. Then: Cubism, Dada, Surrealism. The next movement of size is for the first time American. It is called Abstract-Expressionism and it loosens up a lot of things. It lasts some dozen years, develops some profoundly effective artists and by the early '60s we proceed to OP. Then Pop. There are "Happenings." Minimalists arrive and subside.

We are now nowhere, which is where our anti-art artists say they have found themselves. The "finding" is both geographical and spiritual. It is all very metaphysical.

It is hard, after the brilliance and significance of Dadaism-Surrealism and the popular success of American art of the mid-50s to '60s, to take another step, to be noticed. But curators and dealers who keep the pop boiling help as they can. The commonly proposed solution is to throw everything away, do as you please if you can think of something to do, be directionless. (Maybe you'll find a direction.)

One practitioner of the theory said recently that there were no rules anymore, that everything was up for grabs, all the cards were wild. This revolutionary was able to speak an entire sentence of cliche phrases. Another called it enormously gestural art, which entered the mind through description rather than actively. It seemed to him that it was a far richer experience to know about the Bulgarian artist Christo's work (he wrapped and roped a promontory of the coast of Australia in plastic), without having to see it, than to be exposed to it. He didn't even want to see it, he said.

That is about as good a definition of conceptual art as you are likely to get. It is the idea that is of interest. If it must have an object to make the idea clear, then one resorts to an object. Ten people then, agreeing to think of a daisy on a particular day at a certain time, will have, in this conceptual art, created a work of art. Every day in every way . . .

Allied with these artists are the practitioners of earthwork art. This has to do with adding to or taking away from the earth or sea or sky by doing something unlikely, like growing bread mold on the lip of a volcano. You can't very well ship the result to New York, volcano and all, but you can take very arty pictures in color and exhibit them there. Thus we seem now to be getting into Ecological Art, but the early productions are all pollutants.

How is all of this different than, say, building an airport or springing a leak in an oil tanker? The following explanation was given by a panel at the annual meeting of the College Art Association recently in Washington:

> If a person walks a straight line from New York to Washington, that's a function. If he walks the same line as a dancer, that's a different function. And, if he wants to name that function a work of art then it is.

Some other opinions:

All objects are valid. All objects are movable. If it exists it's sincere. If it was smart enough to exist it's art. You might say it's poor art, but you can't question its motivations. A work is good when it has resonance; when it affects a culture. The pressure of this

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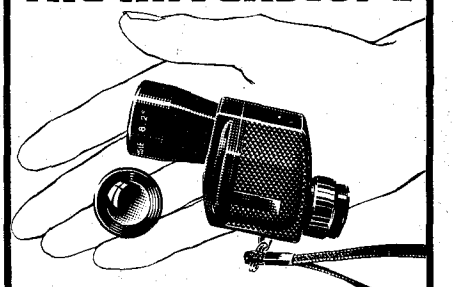

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kind of art on an audience is very important as a part of it. This creates resonance and resonance is what is important. One thing that excites a lot of artists now is willingness to push a situation to the limit; to take an idea and really deal with it. The definition of what an artist is has diffused. And the definition of what an audience is has diffused . . .

Gregory Battcock, an art critic for underground newspapers and editor of two books on the new art said at the conference: "There is a new ecology in the art world . . . Anti-art must be unacceptable as art. Only it is capable of forming a change, of revolution. Warhol's films are fine; they are tasteless and vulgar enough to be acceptable as anti-art; they are also stupid, vapid and dull." That's what's good about them; they're so bad.

Picabia, that supreme Dadaist said: "Dada is not serious. If some take it seriously now it is because it is dead."

Bennett Schiff

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Correspondence

Revolution as Theatre

Sirs:

I have read Robert Brustein's "Revolution As Theatre" (March 9) with pleasure and some sadness. He peels the outer skin of the modern Romantic Movement and exhibits it for what, at many levels, it is – moral posturing and sentimentality. . . . But I cannot concur with his conclusion that "without a revolution of the spirit . . . we will remain lost . . . forever blocked off from . . . meaningful change."

The past ten years of militancy among the young and not so young have instigated just such a spiritual revolution as Mr. Brustein hopes for. Twenty-five years ago to question the morality of the profit system and the Puritan ethic of "labor performed, honor deserved," drew the epithet of "communist" or was altogether ignored. Today there are few Americans who doubt that a man is *not* to be condemned to starvation and decay because he lacks employment at some useful task! And there are surely few to deny that useful tasks decrease as the capability of the machine increases. Inevitably, these two simple developments lead to new appraisals of the validity of an entire system.

Combine the foregoing with the new awareness that the total quality of our physical environment is a common responsibility, that pollution for profit is untenable, and the prospects for change in our country become startling! . . . Mr. Brustein's thesis is brilliant and a delight to read – but he should take heart.

Lella N. Chambers
Indianapolis, Indiana

Sirs:

"Take the people out of the theatre and put them in the streets: Poor reality! They forsake their Lord God in favor of his bad copyist!"—Georg Büchner, *Danton's Death*

The speaker in the play quoted above was in real life an unemployed actor who organized, together with a playwright, a theatre-boycott in 1789 that had enough people on the streets inside of two days to storm the Bastille. The Paris Communards of 1871 reformed the organization of the theatre in recognition of the role played by conventional, institutional theatre in suppressing the proletariat. . . . Considering the apparent success of conventional theatre in suppressing revolutionary inclinations it is hardly surprising if those who have had quite enough of the status quo should reach for the unconventional forms of theatre to change things. Street-corner theatre was used with considerable success during the student-worker revolt of May, '68 in Paris as a means of political education.

To my way of thinking, no apologies need be made for revolutionary drama acted out in the streets and before the television cameras; the improvised drama of investive has always been an alternative to violence. Abbie Hoffman has expressed the revolutionary's choice of effective action as being between comedy and martyrdom – and to get back into academic perspective, Aristotle *does* say that the Old Comedy originated with improvised, invective dramas. Similar dramas are used to this day among the Eskimos, for instance, as a means of settling interpersonal disputes which might otherwise result in ambush. . . .

Provocation is intended to involve others (it may be one of the few remaining avenues, in this jaded age, of making contact with others); it may elicit open sympathy and aid from those who before were merely inclined to be sympathetic, and those who are unsympathetic or even antipathetic it may incite to acts discrediting to themselves, which in turn will elicit sympathy from the onlooker. And dress is – yes, including "Pancho Villa moustaches and granny glasses, long hair" and all – dress is a dramatic device (Abbie Hoffman: "Long hair is just another prop").

It is that "selfish white working class" to which Brustein refers whose spirits are in direct need of spiritual revolution; and it is again these people who do *not* pay their admission into the "moral institution" of the theatre. The revolution has to be brought literally home to them. The revolutionary show has to go into the streets where everyone can see it, *must* see it, *nolens volens*, and force itself to the attention of the great unwashed public – even at the cost of appearing comical or outlandish – if it is to have any hope of success. The same Schiller who pleaded for the "stage as a moral institution" argued in another essay, "On the use of the chorus in tragedy":

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The palace of the kings is now closed, the courts have withdrawn indoors from the gates of the cities . . . the poet must open up the palaces again, he must lead the courts out under the open sky, he must restore all the immediacy of life that has been vitiated by artificial institutions.

That is the true mandate of idealism. Its aims will not be accomplished by pious wishing. Power to the people!

Gareth S. Penn
Berkeley, California

Sirs:

Dean Brustein would have young radicals lower their voices and settle down to a "revolution of the spirit." Far more romantically naive than any young revolutionary, he urges a rather nebulous "act of moral transcending, humane intelligence, and deliberate will." Over 40,000 of this generation are dead, hundreds of thousands more are maimed, jailed or in exile. Yet Brustein urges us to be kind, warm, and decent. In an indecent world where our lives are on the line such a plea is folly or worse. Thus far violence on the part of this generation has been minimal. The theatrics and the demonstrations Brustein berates are in part the result of a desire to get change without violence. But instead of recognizing the commitment implied in the theatrics, Brustein sneers. His disgust can only intensify our despair. If the older generation chooses to sneer with him, the theatrics will inevitably give way to terrorism, and the battle Dean Brustein fears will be joined.

Charles M. Kerr
Stanford, Calif.

Sirs:

I agree there is nothing more than puerile sentimentality in the televised whines of Simon and Garfunkel, and that we should all wag our ideological forefingers at James Kunen for being co-opted by Hollywood. But the failures do not invalidate the use of TV specials, movies, or even a rock concert to radicalize people – or politicize them, whatever's the term. Maybe seeing the movie version of *The Strawberry Statement* will motivate more people than reading coeval issues of *The New Republic*. If "revolution in America is a stage idea," what idea or action can be offered these days that has a cogent measure of reality?

Geoffrey R. Stern
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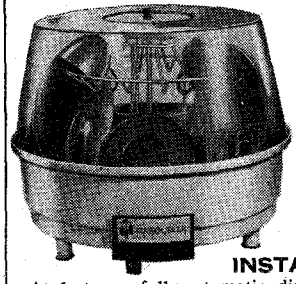

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GOOD NEWS FOR GOURMETS

Sirs:

We of the New Left stage our drama for the same reasons other playwrights do: to yield a meaning through symbolic and dramatic representation. I assume that Mr. Brustein as critic can see beyond the dialogue and costumes in the plays he reviews; why, then, can't he see what's at the heart of the New Left drama? . . . He seems to be asking us to prove we are true revolutionaries by going wholly underground with our ideology until we are ready to sabotage the President or bring off a military coup or something. That is not our revolution, Mr. Brustein! We are the *New* Left, the place is here, the time is now.

Annette Weatherman
St. Louis, Mo.

Sirs:

"Revolution As Theatre" is must reading for anyone who is serious about community organizing. It is a relief to read an article about "The Movement" that graphically makes clear the difference between rhetoric and action; and the difference between the movement meeting one's personal needs as opposed to society's needs.

Laurence M. Onie
Washington, D.C.

Sirs:

Smart radicals today know they are politically impotent. But they don't shrug and resign themselves to weightless phrases about "a revolution of the spirit." The only hope Mr. Brustein offers us is equally as nonconcrete and dreamy-eyed as the bombastic predictions which he adeptly makes fun of in the shouting of microphone-grabbing nihilists. A smart radical today is a cultural radical. He knows he can't change the world politically so he will try to change it with popular art. In this sense John Lennon may turn out to be the most successful social leader of the era. Maybe not. But cultural radicalism is at least better than mumbles about spiritual revolution.

Mark Halliday
Ludlow, Vt.

Robert Brustein replies:

1) In reply to Mr. Penn. My major objection to revolutionary theatrics as a conscious tactic of political indoctrination is that, so far, the scripts have been thin and the acting lousy. I am, moreover, skeptical about the radical theatre's power to affect anybody except those who are already converted (Andrew Sarris reports, for example, that Southern audiences give standing ovations to the rednecks of *Easy Rider* when they shoot the nonconformist bikers). What the theatre can do well under the best conditions is purge and enlighten – but for this you need great dramatists, not hysterics. The poet that Schiller refers to in Mr. Penn's quotation is presumably inspired; Abbie Hoffman is merely turned on.

Anyway, my original intention was not to argue about the effectiveness of political theatre, but rather to demonstrate – through the device of irony – how many of today's "revolutionaries" are playacting without knowing it. I do not think any significant change is ever going to come about in America until we can develop a much greater sense of reality, a quantity admittedly in short supply in our sentimental times (so apparently is the capacity to comprehend irony). But a strong sense of reality is hardly compatible with the histrionic "revolutionary" temperament.

2) In reply to my other critics. Some time ago, five "revolutionary" students shot a sailor through the head in retaliation for the death of another student in an anti-ROTC demonstration, even though the sailor was not present at the site of the original killing and was unknown to his murderers. Was this action any different from the retaliatory killing of civilians by American soldiers in Vietnam? More recently, three young people blew themselves up on W. 11th St. with bombs said to be intended for Columbia University: Would these bombs, had they found their victims, have been different in kind from the police bullets that entered the body of Fred Hampton? The atrocities being prepared by Americans in the name of "revolutionary idealism" are very similar to the atrocities committed by Americans in the name of "defending the free world," even though the former have no official sanction and thus far (because of blunder) have caused no major catastrophe. The one thing that unites Americans today on the left and right is indifference to the importance of human life. Perhaps somebody will tell me how one can condemn police brutality and military violence while

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adopting the same tactics.

I believe we must solve our problems by nonviolent parliamentary means, regardless of the difficulties. There simply is no other way. If reform is blocked off at present, then the channels of reform must be opened again through imaginative programs, electoral pressures, endless nagging – any means short of violence. But this means creating a race that can understand, and this, in turn, means changes, internal and external, in the lives of us all. Since information and analysis are so essential to this process, perhaps all those social scientists who, just a few months past, were extolling the humane qualities of the New Left, would now tell us, please, a little more about the psychology of America's young radicals.

TOO MANY PEOPLE?

Numerous readers have sent replies to Ben Wattenberg's article "The Nonsense Explosion" (NR, April 4-11). Their comments will soon be printed in these columns.

Kauffmann, *from page 20*

like an entry in the Helen Hayes Sweepstakes for Audience Love. Here she is straining for color, but the depths that might provide it are not there.

Pinter, on the other hand, does develop. These new plays are not works of major scope and force, like *The Caretaker* and *The Homecoming*, but they are lovely, and they certify that he continues to inquire his way through experience of the world and of imagination. *Silence*, in particular, sounds haunting chords, made of three lives combined like notes of music. "Elected Silence, sing to me," said Hopkins in one of his best poems. Pinter has elected a rather different silence, but it sings to him.

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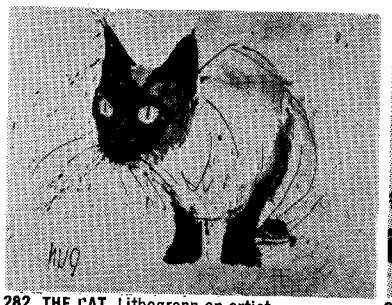

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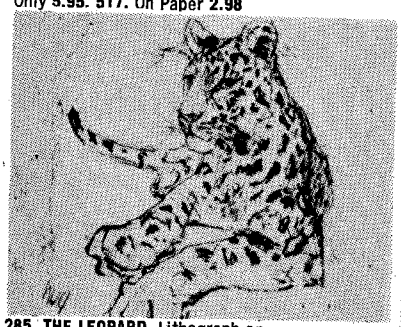

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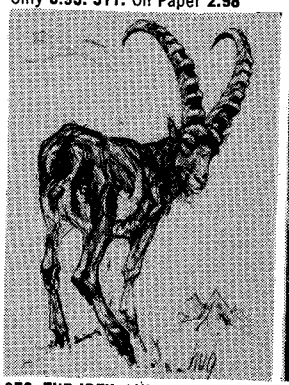

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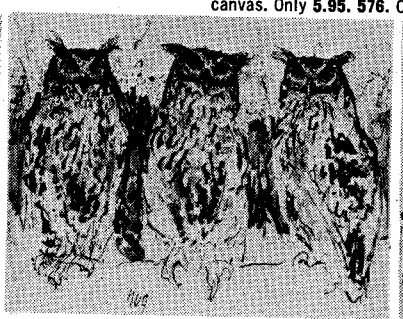

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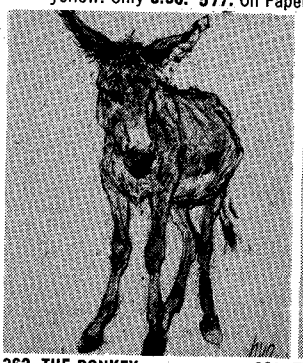

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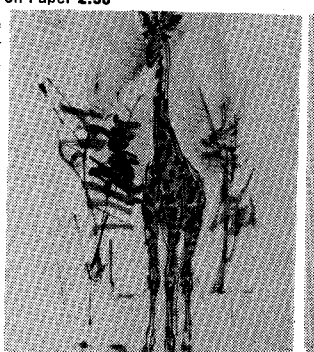

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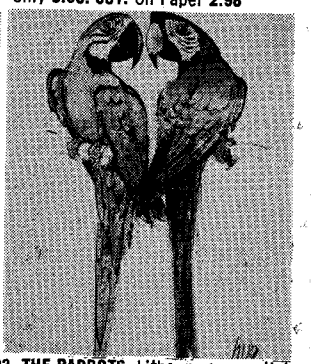

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